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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |   |                  |              |
|------------|---|------------------|--------------|
| Applicant: | Pollard et al.  | Attorney Docket: | 0419-015     |
| Serial No: | 09/827,812  | Examiner:        | Not Assigned |
| Filed:     | 04/06/2001  | Art Unit:        | 2161         |
| Title:     | AUTOMATED SAMPLE TRACKING AND GENERATION OF<br>CORRESPONDING PRESCRIPTION |                  |              |

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith are Forms PTO/SB/O8A and PTO/SB/O8B listing cited reference documents provided with this First Supplemental Information Disclosure Statement that may be relevant to the subject application. It is respectfully requested that the documents be considered by the Examiner and an initialed copy of the forms be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP §609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

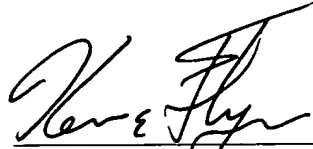
Submission of these documents is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicants respectfully reserve the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of this material is consistent with the duty of disclosure and should not be interpreted as an indication that applicants have made a prior art search such that the Examiner should not undertake to conduct an independent prior art search.

As noted in the submitted press report from Yahoo.com, the two enclosed patents relating to electronic prescriptions have been licensed this year to at least four companies.

Applicants respectfully submit that the submitted material either alone or in combination does not disclose or render obvious the inventions claimed by Applicants in the present application.

Dated: October 11, 2001

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin E. Flynn", is written over a horizontal line.

Kevin E. Flynn  
Reg. No. 37,325

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Enclosures

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| Application Number | 09/827.812 |
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|             |            |
|-------------|------------|
| Filing Date | 04/06/2001 |
|-------------|------------|

Pollard et al

|                      |                |
|----------------------|----------------|
| First Named Inventor | Pollard et al. |
|----------------------|----------------|

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|                |      |
|----------------|------|
| Group Art Unit | 2161 |
|----------------|------|

|              |
|--------------|
| Not Assigned |
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|               |              |
|---------------|--------------|
| Examiner Name | Not Assigned |
|---------------|--------------|

0419-015

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|------------------------|----------|
| Attorney Packet Number | 0419-015 |
|------------------------|----------|

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Examiner  
Signature

Date  
Considered

Substitute for form 1449A/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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|------------------------|----------------|
| Application Number     | 09/827,812     |
| Filing Date            | 04/06/2001     |
| First Named Inventor   | Pollard et al. |
| Group Art Unit         | 2161           |
| Examiner Name          | Not Assigned   |
| Attorney Docket Number | 0419-015       |

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| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),<br>publisher, city, and/or country where published             | T <sup>2</sup> |
|----------------------|--------------------------|---|----------------|
|                      | A                        | Web pages from google.com entitled "Cybear Signs License Agreement with RTRx, Inc." dated May 23, 2001 and printed September 11, 2001, (3 pages). This is Google's cached copy of <a href="http://biz.yahoo.com/bw/010523/2189.html">http://biz.yahoo.com/bw/010523/2189.html</a> |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

2161

PTO/SB/21 (6-98)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 105

|                      |                |
|----------------------|----------------|
| Application Number   | 827,812        |
| Filing Date          | April 6, 2001  |
| First Named Inventor | Pollard et al. |
| Group / Art Unit     | 2161           |
| Examiner Name        | Not Assigned   |
| Attorney Docket No.  | 0419-015       |



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## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):
  - Form SB/08A
  - Form SB/08B
  - Cited Art
  - Return Receipt Postcard

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11-13-01

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                |      |          |
|-------------------------|----------------|------|----------|
| Firm or Individual name | Kevin E. Flynn |      |          |
| Signature               |                | Date | 10/11/01 |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

|                       |                   |      |          |
|-----------------------|-------------------|------|----------|
| Typed or printed name | Lynette M. Bailey |      |          |
| Signature             |                   | Date | 10/11/01 |